

§ 1-660. Authority of tribunal in case of noncompliance.

(a) If an agreement fails to meet the requirements of G.S. 1-644 or a lawyer fails to comply with G.S. 1-654, a tribunal may nonetheless find that the parties intended to enter into a collaborative law participation agreement if they did both of the following:

- (1) Signed a record indicating an intention to enter into a collaborative law participation agreement.
- (2) Reasonably believed they were participating in a collaborative law process.

(b) If a tribunal makes the findings specified in subsection (a) of this section and the interests of justice require, the tribunal may do all of the following:

- (1) Enforce an agreement evidenced by a record resulting from the collaborative law process in which the parties participated.
- (2) Apply the disqualification provisions in G.S. 1-645, 1-646, 1-647, 1-649, 1-650, and 1-651.
- (3) Apply a privilege under G.S. 1-657. (2020-65, s. 1.)